

From: J G
To: Microsoft ATR
Date: 1/23/02 8:00pm
Subject: Microsoft Settlement

My name is Joel Garringer and I would like to comment on the proposed Microsoft settlement.

I do not believe that the proposed final judgment what appear to me to be the two core areas wherein Microsoft has abused their monopoly power.

I do not believe that the proposed remediation does an effective job of forcing Microsoft to allow other software developers the ability to fully support interoperability with Microsoft applications and operating systems.

Because Microsoft produces both an OS and the applications that run on it, they have the ability to conceal from competing developers the API's that the windows OS exposes. The remedy does not do a good job of defining what portions of the Windows API should be released to the public.

If competition and innovation are really concepts that all of the parties involved with this case value, then I believe that it is perfectly reasonable to expect Microsoft to release the full windows API, and to release these API's as soon as they become available within Microsoft.

Additionally I do not believe that there should be any restrictions on the types of development programmers who refer to Microsoft's API documentation are allowed to participate in. To give a developer access to the Windows API but not allow them the freedom to work on applications that may-or-may not run on Windows undermines the effectiveness of the settlement.

In my mind this issue is the biggest, but not the only fault in the Proposed Final Judgment.

Thanks.

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